

NOV 19 2007

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

FOR THE NINTH CIRCUIT

ANDRE B. YOUNG,

Plaintiff - Appellant,

v.

STATE OF WASHINGTON; et al.,

Defendants - Appellees.

No. 07-35004

D.C. No. CV-06-01687-JCC

MEMORANDUM^{*}

Appeal from the United States District Court
for the Western District of Washington
John C. Coughenour, District Judge, Presiding

Submitted November 13, 2007^{**}

Before: McKEOWN, TALLMAN and CLIFTON, Circuit Judges.

Appellant's motion received September 7, 2007 is construed as a motion to reinstate this appeal, which was dismissed by the Clerk on July 13, 2007 for failure to pay the filing fees in compliance with the June 13, 2007 order denying in forma

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

07-35004

pauperis status. Appellant has paid the docketing and filing fees so the motion to reinstate the appeal is granted. The mandate is recalled and the appeal is reinstated.

Upon review of the record and appellant's opening brief, this court hereby summarily affirms the district court's order denying appellant's motion for preliminary injunctive relief. *See United States v. Hooton*, 693 F.2d 857 (9th Cir. 1982) (per curiam) (summary affirmance appropriate where result is clear from face of record).

AFFIRMED.